

## Message Text

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PAGE 01     PRETOR 05755 171023Z  
ACTION AF-08

INFO OCT-01 EUR-12 IO-13 ISO-00 CIAE-00 DODE-00 PM-04 H-02  
   INR-07 L-03 NSAE-00 NSC-05 PA-02 PRS-01 SP-02 SS-15  
   USIA-15 MCT-01 /091 W

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R 170833Z DEC 76  
FM AMEMBASSY PRETORIA  
TO SECSTATE WASHDC 6434  
INFO AMCONSUL CAPE TOWN  
AMCONSUL DURBAN  
AMCONSUL JOHANNESBURG  
AMEMBASSY GABORONE  
AMEMBASSY LONDON  
AMEMBASSY LUSAKA  
AMEMBASSY MAPUTO  
USMISSION USUN NEW YORK  
AMEMBASSY DAR ES SALAAM

UNCLAS PRETORIA 5755

E.O. 11652: N/A  
TAGS: PINT SF  
SUBJ: SASO/BPC NINE FOUND GUILTY

REF: PRETORIA A-201

1. SOUTH AFRICA'S LONGEST TERRORISM ACT TRIAL, THE SASO/  
BPC OR "BLACK CONSCIOUSNESS TRIAL" ENDED DEC 15 IN PRETORIA'S  
SUPREME COURT OF JUSTICE WITH A VERDICT OF GUILTY FOR ALL  
NINE ACCUSED. FOLLOWING 136 COURT DAYS, 61 STATE WITNESSES,  
AND 21 DEFENSE WITNESSES HEARD OVER A 2 YEAR PERIOD  
WHICH COST SAG AN ESTIMATED \$500,000. MR JUSTICE BOSHOF FOUND  
8 OF THE 9 DEFENDENTS GUILTY OF CONSPIRACY WITH INTENT TO  
ENDANGER THE MAINTENANCE OF LAW AND ORDER AND 7 DEFENDENTS  
GUILTY OF ORGANIZING NATIONWIDE "VIVA FRELIMO" RALLIES TO  
CELEBRATE MOZAMBIQUE'S INDEPENDENCE IN 1974 DESPITE A  
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BANNING ORDER PROHIBITING THE RALLY FROM THE MINISTER OF  
JUSTICE. SATHS COOPER, THE MAIN DEFENDENT, WAS ACQUITTED ON  
4 OTHER COUNTS RELATED TO PAMPHLETS HE PUBLISHED.

2. ABOUT 200 SPECTATORS RAISED CLENCHED FISTS AND SANG  
FREEDOM SONGS AS THE ACCUSED ENTERED THE COURTROOM PRIOR

TO JUDGEMENT. IN HIS SUMMARY OF THE 260 PAGE JUDGEMENT, BOSHOF SAID THE ACCUSED WERE JUDGED GUILTY FROM CIRCUMSTANTIAL EVIDENCE CONSISTING OF DOCUMENTS, SPEECHES AND THE RALLIES. JUDGE BOSHOF ALLOWED A DEFENSE REQUEST FOR POSTPONEMENT OF SENTENCING UNTIL DEC 21 FOR POSSIBLE EVIDENCE IN MITIGATION OF SENTENCE. THE STATUTORY MINIMUM IS 5 YEARS. DEFENSE COUNSEL TOLD EMOFF AT TRIAL THEY FEAR SENTENCING WILL BE SEVERE.

3. THE FOLLOWING 6 ACCUSED WERE CONVICTED ON BOTH THE CONSPIRACY AND RALLY COUNTS: SATHS COOPER, BANNED FORMER PUBLIC RELATIONS OFFICER OF THE BLACK PEOPLES CONVENTION (BPC), MUNTU MYEZA, EX-PRESIDENT OF SASO, MOSIOUA LEKOTA, EX-PERMANENT ORGANIZER OF SASO, AUBREY MOKOAPE, BANNED EX-CHAIRMAN OF BPC'S DURBAN BRANCH, NKWENKWE NKOMO, FORMER BPC GENERAL SECRETARY AND FORMER SASO PRESIDENT, AND PANDELANI NEFOLOVHODWE, SASO PRESIDENT AT TIME OF ARREST. STRINI MOODLEY, BANNED EX-SASO NEWSLETTER EDITOR AND ZITULELE CINDI, FORMER BPC SECRETARY-GENERAL, WERE CONVICTED ON ONLY THE CONSPIRACY COUNT AND KABORANE SEDIBE, FORMER PRESIDENT OF SRC AT TURFLOOP WAS CONVICTED ON THE RALLY COUNT.

4. COMMENT: AS NOTED IN REFAIR, CONVICTION ON GROUNDS OF TERRORISM ON THIS CASE SIGNALS A NEW AND VASTLY BROADENED LEGAL DEFINITION OF THE WORD "TERRORISM" IN SOUTH AFRICA. NO PHYSICAL ACT OF TERRORISM WAS ALLEDGED NOR DID THE STATE ALLEDGE RECRUITMENT ACTIVITIES FOR MILITARY TRAINING. BY FINDING TERRORISM FROM DOCUMENTS PUBLISHED BY A LEGAL ORGANIZATION, SOUTH AFRICA HAS UNCLASSIFIED

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SIGNIFICANTLY FURTHER BLURRED THE DISTINCTION BETWEEN PEACEFUL LEGAL DISSENT AND TERRORISM.  
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## Message Attributes

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**TAGS:** PINT, SF, SASO/BPC  
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